

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT DEAN SPEARSON,

Defendant.

CR-18-86-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 8, 2023. (Doc. 69.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 8, 2023. (Doc. 68.) The United States accused Robert Spearson, (Spearson) of violating his conditions

of supervised release 1) by using methamphetamine; 2) by failing to report for substance abuse testing; 3) by failing to comply with his Radio Frequency Monitoring Program; 4) by committing another crime; 5) by possessing methamphetamine; 6) by failing to notify his probation officer of a change in residence; and 7) by possessing a firearm. (Doc. 59.)

At the revocation hearing, Spearson admitted to 1) by using methamphetamine; 2) by failing to report for substance abuse testing; and 3) by failing to comply with his Radio Frequency Monitoring Program. The Court dismissed alleged violations 4, 5, 6 and 7 on the government's motion. (Doc. 68.) Judge Johnston found that the violations Spearson admitted prove serious and warrants revocation of his supervised release and recommends a sentence from March 7, 2023 through May 9, 2023, with no supervised release to follow. (Doc. 69.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 69) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Robert Dean Spearson be sentenced to the Bureau of Prison from March 7, 2023 through May 9, 2023, with no supervised release to follow.

DATED this 14th day of August, 2023.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court